

FILED 10 MAY '19 11:27 USDC-ORE

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Eugene



DIVISION

Shane Anthony Lewis

(Enter full name of plaintiff)

Plaintiff,

v.

Civil Case No. 6:19-cv-00748-AA

(to be assigned by Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL
RIGHTS (PRISONER COMPLAINT)

City of Springfield,

Springfield Police Department

Sgt. Pete Kirkpatrick

(Enter full name of ALL defendant(s))

Jury Trial Demanded

☒ Yes

☐ No

Defendant(s).

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name: Shane A. Lewis #0993247

Street Address: 101 W. 5th Ave

City, State & Zip Code: Eugene, OR 97401

Telephone No.: _____

Defendant No. 1 Name: City of Springfield
 Street Address: 225 5th St.
 City, State & Zip Code: Springfield, OR 97477
 Telephone No.: (541) 726-3700

Defendant No. 2 Name: Springfield Police Department
 Street Address: 230 4th Street
 City, State & Zip Code: Springfield, OR 97477
 Telephone No.: (541) 726-3714

Defendant No. 3 Name: Sgt. Pete Kirkpatrick
 Street Address: 230 4th Street
 City, State & Zip Code: Springfield, OR 97477
 Telephone No.: (541) 726-3714

Defendant No. 4 Name: _____
 Street Address: _____
 City, State & Zip Code: _____
 Telephone No.: _____

II. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

This action arises under the 4th amendment of the U.S. Constitution as well as the 14th Amendment of the U.S. Constitution and Federal Cases ruled thereunder.

III. STATEMENT OF CLAIMS

Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

On January 13th, 2019, Springfield Police Department and Supervisors thereof Failed to supervise adequately a police officer in obtaining a Search Warrant, resulting in material erroneous and misleading statements contained in the affidavit and material omissions FROM the affidavit. In Being deliberately indifferent to this by failing to supervise or approve such documents, my Right to Due process and a Fair trial have been infringed upon.

Claim II

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

upon seeking administrative Remedy in the above stated matter, by mail, per instructions given by

Lane County Jail deputies, And receiving no Reply, I was further instructed to contact Lane County Sheriff Byron Trapp, Sheriff Trapp forwarded my Correspondence to Springfield Police Sgt Pete Kirkpatrick, who remained deliberately indifferent, stating in his reply that my claims were "unfounded" and considered the matter closed. This municipal failure to supervise or discipline employees or to investigate complaints of alleged misconduct effectively presents the possibility of achieving Due Process.

Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Since my reply from Sgt. Kirkpatrick was received, I have twice sent by U.S. Mail further attempts to appeal his decision to no avail. I have not received any acknowledgement of Springfield Police or the City of Springfield, let alone Sgt Kirkpatrick himself, having received or taken seriously my complaints, regardless of the fact I've attempted to provide corroboration for my claims. To date, Springfield Police Department, City of Springfield and Sgt. Pete Kirkpatrick remain deliberately **INDIFFERENT AND CONTINUE TO VIOLATE MY RIGHT TO DUE PROCESS.** (If you have additional claims, describe them on another piece of paper, using the same outline.)

IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

☒ Yes

☐ No

V. RELIEF

State briefly exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.

I am demanding Monetary Compensation in the amounts
of:

\$500,000 From Springfield Police Dept.;

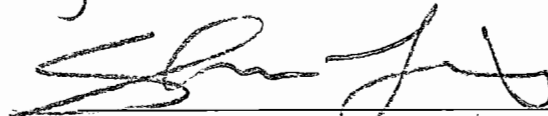
\$500,000 From City of Springfield;

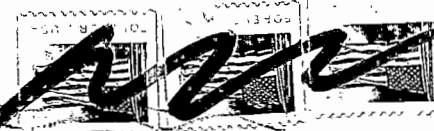
\$100,000 From Sgt. Pete Kirkpatrick;

All associated Court Costs & Fees Paid by Springfield
Police and the City of Springfield; all attorney
fees to be paid by Springfield Police and City
of Springfield; and A Prevailing party fee,
Should I Prevail.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 5 day of May, 2019.


(Signature of Plaintiff)



US District Court Clerk
405 E. 8th AVE #2100
Eugene OR 97401

